

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY**

MATTHEW GIBSON,

Plaintiff,

vs.

Civil Action No. 5:21-cv-00181  
Honorable Frank W. Volk

LOUISE E. GOLDSTON, individually,  
COUNTY COMMISSION OF RALEIGH  
COUNTY, a political subdivision,  
JEFF MCPEAKE, individually,  
BRIAN WHITE, individually,  
BOBBY STUMP, individually,

Defendant.

**PLAINTIFF'S RESPONSE TO DEFENDANT LOUISE E. GOLDSTON'S MOTION IN  
LIMINE TO PRECLUDE THE INTRODUCTION OF ORDERS, FINDINGS, AND  
OTHER FILINGS OF THE JUDICIAL INVESTIGATORY COMMISSION AND THE  
WEST VIRGINIA SUPREME COURT OF APPEALS IN *IN RE: GOLDSTON***

COMES NOW Plaintiff, Matthew Gibson, by and through counsel, John H. Bryan,  
and for his response to PLAINTIFF'S RESPONSE TO DEFENDANT LOUISE E.  
GOLDSTON'S MOTION IN LIMINE TO PRECLUDE THE INTRODUCTION OF  
ORDERS, FINDINGS, AND OTHER FILINGS OF THE JUDICIAL INVESTIGATORY  
COMMISSION AND THE WEST VIRGINIA SUPREME COURT OF APPEALS IN IN RE:  
GOLDSTON, states the following:

For reasons which have already been briefed in Plaintiff's memorandum in  
support of his motion for summary judgment against Defendant Goldston, as well as for  
reasons elicited in Plaintiff's Motion in Limine Regarding Defendant Goldston's State  
Supreme Court Adjudication, Plaintiff believes that many of the disputed issues have

already been established as a matter of State law by the West Virginia Supreme Court of Appeals in In re: Goldston.

Plaintiff will request through instructions of law from the Court, that the jury be instructed on all relevant law, including those pertaining to the State Supreme Court's adjudication of Defendant Goldston's actions. Defendant Goldston should be precluded from providing testimony which contravenes said relevant law, including the adjudication of the State Supreme Court in her disciplinary matter, as well as her sworn testimony therein. In the event that she does so, Plaintiff should be enabled to utilize the State Supreme Court Order and the findings therein for rebuttal and/or impeachment purposes.

MATTHEW GIBSON,  
By Counsel

/s/ John H. Bryan  
John H. Bryan, State Bar ID # 10259  
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*For Plaintiff*

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BRIAN WHITE, individually,  
BOBBY STUMP, individually,  
KYLE LUSK, individually,

Defendant.

**CERTIFICATE OF SERVICE**

I, John H. Bryan, do hereby certify that I have delivered a true copy of the foregoing PLAINTIFF'S RESPONSE TO DEFENDANT LOUISE E. GOLDSTON'S MOTION IN LIMINE TO PRECLUDE THE TESTIMONY OF TERESA TARR AND BRIAN LANHAM, has been served upon counsel of record by using the CM/ECF System, this the 13th day of June, 2022, and addressed as follows:

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/s/ John H. Bryan

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